

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:)	Case No. 10-57397
)	
CHESTER WAYNE COULTER,)	
)	Chapter 7
)	
Debtor.)	Judge Preston
_____)	

NOTICE OF MOTION TO DISMISS

NOTICE IS HEREBY GIVEN that the Office of the United States Trustee ("U.S. Trustee") has filed a motion for an order dismissing the above-entitled based on the provisions of 11 U.S.C. § 707(a), and Federal Rules of Bankruptcy Procedure 1017(e), because the Debtor obtained the required credit counseling beyond the 180 days prior to the filing of the petition as required by 11 U.S.C. §§ 109(h) and 521(b)(1).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the motion/objection, then on or **before twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail to Clerk of the Court at the United States Bankruptcy Court, 170 North High Street, Columbus, OH 43215 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the date above. You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to Pamela Arndt Rice at the United States Trustee Office, 170 North High Street, Suite 200, Columbus, Ohio 43215.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion/objection and may enter an order granting that relief without further notice or hearing.

If you would like a copy of the underlying Motion to Dismiss, please request such in writing to Pamela D. Rice at 170 North High Street, Suite 200, Columbus, OH 43215, or by telephone at: (614) 469-7411 ext. 225.

Pursuant to Fed. R. Bankr. P. 4004(c), the discharge of the Debtor is stayed pending the conclusion of this Motion.

Dated: July 29, 2010

OFFICE OF THE UNITED STATES TRUSTEE

Daniel M. McDermott
United States Trustee
Region 9

By: /s/Pamela Arndt Rice
Pamela Arndt Rice
Attorney for the U.S. Trustee
170 North High Street, Suite 200
Columbus, OH 43215
Telephone: (614) 469-7411 x 225
Facsimile: (614) 469-7448
E-mail: Pamela.D.Rice@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2010, a copy of the foregoing NOTICE OF MOTION TO DISMISS was served on the following registered ECF participants, electronically through the court's ECF System at the email address registered with the court:

Pamela Arndt Rice, pamela.d.rice@usdoj.gov

Larry J. McClatchey, rkelley@keglerbrown.com, lmccatchey@ecf.epiqsystems.com

Pamela Irene Theodotou, pam.theodotou@gmail.com

and on the following by ordinary U.S. Mail addressed to:

Chester Wayne Coulter

228 N. Wing Street

Newark, OH 43055

Pamela Irene Theodotou

4449 Easton Way, 2nd Floor

Columbus, OH 43219

Recovery Management Systems Corporation

25 SE 2nd Avenue, Suite 1120

Miami, FL 33131

All creditors listed on matrix to be served by BNC.

/s/ Pamela Arndt Rice

Pamela Arndt Rice